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12 Attorneys for Plaintiff  
 13 BAY AREA PAINTERS AND TAPERS  
 14 PENSION FUND, et al.

15 UNITED STATES DISTRICT COURT

16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 BAY AREA PAINTERS AND TAPERS  
 18 PENSION FUND, et al.,

19 Plaintiffs,

20 v.

21 FRANK WILLIAM MITCHELL, individually  
 22 and dba MITCHELL CONSTRUCTION  
 23 DRYWALL METAL STUDS,

24 Defendant.

Case No.: C08-0530 MMC

**REQUEST TO CONTINUE CASE  
MANAGEMENT CONFERENCE**

CMC:	Friday May 2, 2008
Time:	10:30 a.m.
Courtroom:	7, 19 <sup>th</sup> Floor
Location:	450 Golden Gate Avenue San Francisco, CA
Judge:	Honorable Maxine M. Chesney

25 Plaintiffs hereby request that the Case Management Conference currently scheduled for  
 26 Friday May 2, 2008, at 10:30 a.m. be continued for at least thirty (30) days.

27 1. The Clerk entered the default of Defendants on March 4, 2008.

28 2. To date, Defendants have failed to appear in this action. Thus, Plaintiffs filed a Motion for Entry of Default Judgment (“Motion”) on April 8, 2008. The Motion is calendared to be heard by this Court on Friday, May 23, 2008, at 9:00 a.m.

29 3. Plaintiffs respectfully request that the Court continue the Case Management Conference for a period of at least thirty (30) days, or alternatively, continue it to be heard on the same date and at the same time as the Motion. Good cause exists to continue the Case

**REQUEST TO CONTINUE CMC  
CASE NO.: C08-0530 MMC**

1 Management Conference as requested herein because once the Court reaches a decision regarding  
2 the Motion, it may be unnecessary to proceed with a Case Management Conference. As such, the  
3 continuance will minimize attorneys' fees and costs for all parties.

4 I declare under penalty of perjury that I am one of the attorneys for the Plaintiffs in the  
5 above entitled action, and that the foregoing is true of my own knowledge.  
6

7 Executed this 15<sup>th</sup> day of April, 2008, at San Francisco, California.

8  
9 SALTZMAN & JOHNSON LAW CORPORATION

10 By: \_\_\_\_\_/s/  
11 Shaamini A. Babu  
12 Attorneys for Plaintiffs  
13

14 IT IS SO ORDERED.  
15

16 Date: \_\_\_\_\_  
17 MAXINE M. CHESNEY  
18  
19 UNITED STATES DISTRICT COURT JUDGE  
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## PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On April 15, 2008, I served the following document(s):

## **REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Frank Mitchell  
dba Mitchell Construction Drywall Metal Studs  
310 Rancho Murieta Drive, Apt. D  
Vacaville, California 95687**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 15<sup>th</sup> day of April, 2008, at San Francisco, California.

Vanessa de Fábrega